

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
Springfield, MO DIVISION

Cordae Sims

(Enter above the full name of the Plaintiff[s]  
in this action.)

- VS -

Jim Arnatt, Sheriff, Green County, MO

County of Green, MO

Officer Ramsey, Officer, Springfield, MO Police Department

Unknown Officer #1, Springfield, MO Police Department

City of Springfield, MO

(Enter above the full name of ALL Defendant[s] in this action. Fed. R. Civ. P. 10(a) requires that the caption of the complaint include the names of all the parties. Merely listing one party and "et al." is insufficient. Please attach additional sheets if necessary.)

18-3057-CV-S-SRB-P

Case No. \_\_\_\_\_  
(To be assigned by Clerk  
of District Court)

"Jury Trial Demanded"

COMPLAINT

- I. State the grounds for filing this case in Federal Court (include federal statutes and/or U.S. Constitutional provisions, if you know them):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

II. Plaintiff, Cordae Sims resides at  
3205 W. Walnut St., Springfield Green,  
street address city county  
Missouri, 65802, 417-920-1861  
state zip code telephone number

(if more than one plaintiff, provide the same information for each plaintiff below)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

III. Defendant, Jim Arnett lives at, or its business is located at  
Springfield, mo Police Department  
321 E. Chestnut Street, Springfield, Green,  
street address city county  
Missouri, 65802  
state zip code

(if more than one defendant, provide the same information for each defendant below)

(See Attached)

- IV. Statement of claim (State as briefly as possible the facts of your case. Describe how each defendant is involved. You must state exactly what each defendant personally did, or failed to do, which resulted in harm to you. Include also the names of other persons involved, dates, and places. Be as specific as possible. You may use additional paper if necessary):

### I. Jurisdiction And Venue

This is a civil action, authorized by 42 USC 1983 to redress the deprivation of rights, under color of state law, secured by the Constitution, laws and treaties of the United States. This Court has jurisdiction pursuant to 28 USC 1331 and 1343 (a) (1) - (3). This Court is an appropriate venue under 28 USC 1391 (b) (1), because this is where the events giving rise to this cause of action occurred. Plaintiff seeks declaratory relief pursuant to 28 USC 2201 and 2202. Plaintiff seeks injunctive relief pursuant to 28 USC 2283, 2284, and Rule 65 of the Federal Rules of Civil Procedure. Plaintiff seeks damages for malicious prosecution under Missouri state law. Plaintiff seeks damages for false arrest under Missouri law. Plaintiff seeks damages for false imprisonment under Missouri law. Plaintiff seeks damages for civil conspiracy under Missouri law. Plaintiff seeks damages for Intentional Infliction of Emotional Distress under Missouri law.

### II. Parties

Plaintiff, Cordaroe Sims, is currently located at NorthEast Correctional Center.

Defendant Jim Amett, is the Sheriff of Green County, MO. Address: 321 East Chestnut Street, Springfield, MO 65802.

Defendant, officer Ramsey, is an officer with the Springfield, MO Police Department. Address: 321 East Chestnut Street, Springfield, MO 65802.

Defendant, Unknown Springfield, MO Police officer #1, is an officer with the Springfield, MO Police Department. Address: 321 East Chestnut Street, Springfield, MO 65802.

Defendant, County of Green, MO is located at 321 East Chestnut Street, Springfield, MO 65802.

At all times mentioned herein, each defendant acted under the color of state law. Each defendant is being sued in his/her individual capacity for monetary damages, and in his/her official capacity for injunctive relief. The claim against Green County, MO is a "McNeil" claim.

### III. Statement of Claim

Plaintiff, Cordaroe Sims is a state inmate currently incarcerated at NorthEast Correctional Center. The events at issue in this complaint occurred on or around 8/20/2017. On 8/20/17, Plaintiff, an African-American, male, was walking down a street in Springfield, MO, minding his business obeying the law. All of a sudden, a Springfield, MO Police Department car pulled up, and 2 white officers jumped out, with their hands on their gun holsters. In fear of my life, I got scared and became nervous, thinking that the officers were going to shoot me.

I immediately asked the officers why I was stopped, suspecting it was because of my race, because I see police officers in the city frequently stop African-American inmates driving, and walking, and pat them down, and search them, without their consent. I immediately asked the officers "am I being stopped because I'm black?" Both their faces got red, and they told me "I looked like a 'rubber' and a

criminal", and that I fit the description of a "black man" who might have been involved in a robbery. I told them that I had not been involved in a robbery, and didn't appreciate being discriminated against because of my race. I was told to sit down on the ground and not move, because I was under arrest. I sat down. They began asking me questions, such as my name, and where I had come from, and I told them I had left a friend's house. They, without having probable cause to believe I had committed a crime, then cuffed me. Without my consent, they searched my person and found money and drugs on me. I was immediately taken to the Springfield / Green County Jail, where I was booked in. My Parole / Probation Officer came to see me, a few days later, and told me I was being "violated" for the drugs the officers found on me. She also gave me a copy of the violation report, which recounted the officers' version of the events that happened that day. Nowhere in her report, was anything about a gun mentioned. However, when I went to prison, I received a second violation report, which falsely stated that I had, in fact, taken part in a robbery. As a result, I was sentenced to 11 months on the violation.

#### IV. Legal Claims

1. Plaintiff Cordaroe Sims contends that Officer Ramsey and Unknown Springfield, MO Police Officer #1, violated his Fourth Amendment right to be free from Unreasonable Searches and Seizures when they "seized" plaintiff, i.e. told plaintiff to sit on the ground and don't move, and cuffed the plaintiff without having probable cause to believe that he had committed a crime, or was committing a crime, and as a result, plaintiff suffered several months of unlawful "pre-trial detention" and incarceration. See *Manuel v. City of Joliet*, IL 137 S.Ct. 911, 197 L.Ed.2d 312 (2012). The Fourth Amendment protects the "right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures." U.S. Const. Amend. IV. The Fourth Amendment also provides that "no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the person or things to be seized." Id. Here defendants did not have probable cause to arrest plaintiff, and plaintiff seeks damages on this claim.

1. Plaintiff contends that defendants Ramsey and Unknown Springfield, MO Police Officer #1, violated his Fourth Amendment right to be free from Unreasonable "Searches" when they searched plaintiff's body, without his consent, and without having probable cause to believe that evidence of a crime would be found on plaintiff.

2. Plaintiff contends that defendants Ramsey and Unknown Springfield, MO Police Officer #1, violated his Fourth Amendment right, and right under the Equal Protection Clause of the 14th Amendment to the U.S. Constitution, when they stopped plaintiff based on his race, while walking down the street. As the plaintiff stated in the complaint, the City of Springfield, MO has a long standing policy of having officers to "stop and frisk" unsuspecting individuals, without their consent, and/or probable cause, and a policy of allowing white officers to harass African-Americans male and female, by stopping them, whether driving or walking, searching them (their cars, trucks, etc.), arresting them, all without probable cause, and in a lot of reported cases, fabricating "probable cause to arrest and search individuals, all in violation of the 14th Amendment. The Sheriff is liable because he "ratified", condoned, and approved of the policies that led to the search in the first place.



3. Plaintiff brings a "Monell" claim against the County of Green, MO, and the City of Springfield, MO, for having a "policy" and "custom" of allowing its officers, especially white officers to conduct racially based, "searches" of individuals and "seizures", i.e., arrests, of their persons and vehicles, and for having a "stop and frisk" policy in effect, that allows all of its officers to "stop and frisk" individuals, predominantly African Americans, without probable cause.

### v. Requested Relief

1. Wherefore, plaintiff respectfully requests the Court to GRANT him the following relief to which he may be entitled:

- (A) A declaration that the acts and/or omissions of the defendants, violated plaintiff's rights under the US Constitution, laws, and treaties of the United States;
- (B) Preliminary injunction ENJOINING defendants from enforcing its racially motivated "stop and frisk" policy, and ENJOINING defendants from enforcing its policy of allowing its officers to stop, search, and arrest individuals with probable cause;
- (C) Nominal damages - \$10.00;
- (D) Compensatory damages - \$195,000.00;
- (E) Punitive damages - \$230,000.00
- (F) Damages on the Intentional Infliction of Emotional Distress, false arrest, false imprisonment claims, in the amount of \$100,000.00;
- (G) A jury trial on all issues triable by a jury;
- (H) All other necessary equitable and monetary relief.

1st CS

dated: 2-8-18

④

V. Relief: State briefly and exactly what you want the Court to do for you.

(See Attached)

VI. MONEY DAMAGES:

A) Do you claim either actual or punitive monetary damages for the acts alleged in this complaint?

YES

☒

NO

☐

B) If your answer to "A" is YES, state below the amount claimed and the reason or reasons you believe you are entitled to recover such money damages:

(See Attached)

VII. Do you maintain that the wrongs alleged in the complaint are continuing to occur at the present time?

YES

☒

NO

☐

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 8 day of Feb, 2018 xx

xx Cordree Sims

\_\_\_\_\_  
Signature of Plaintiff(s)

Ordance Sims # 1250074

9C-230

North East Correctional Center

13648 Airport RD

Boziling Green Mo. 63334

This correspondence is from an inmate in the custody of the Missouri Department of Corrections. The Department is not responsible for the content of this correspondence. For information about the Department or to verify information about the offender, please visit our website at [www.doc.mo.gov](http://www.doc.mo.gov).

Mailed from:  
Northeast  
Correctional Center

REC'D FEB 12 2018

1250074

Southern Div US Courthouse  
992 N. John & Hannons Parkway  
Springfield Mo. 65806

